

AMENDED

Nº 43963

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... JUN 29 1981

Returned to applicant for correction..... SEP 3 1981

Corrected application filed..... NOV 2 1981

Map filed..... NOV 2 1981 under 43957

The applicant..... Frank Paxton & Family

..... JD Ranch ..... of ..... Carlin .....  
Street and No. or P.O. Box No. City or Town

..... Nevada 89822 ..... hereby make..... application for permission to appropriate the public  
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Frank Paxton & Family, a  
partnership consisting of Franklin T. and Maurine C. Paxton, C. Tad Paxton  
and Genevieve P. Rawson, partners, and Frank Paxton

1. The source of the proposed appropriation is..... Upper Dry Canyon Spring .....  
Name of stream, lake or other source.

2. The amount of water applied for is..... 0.10 cfs ..... second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... Stockwater & Domestic ..... acre-feet

3. The water to be used for.....  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered)..... 1,000 head of cattle

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: Lot 16 of Section 6, T 23 N,  
R 51 E, MDM (unsurveyed) at a point from which the SE corner of Section 35,  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,  
T 24 N, R 51 E, MDM bears N. 81° 24' E 27,408 feet  
it should be stated.

6. Place of use..... Lot 16 of Section 6, T 23 N, R 51 E, MDM (unsurveyed)  
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about..... January 1 ..... and end about..... December 31 ..... of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... clean and improve the spring site to  
insure constant flow

State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$1,000.00
10. Estimated time required to construct works.....2 years  
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use.....3 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.  
Please send copies of all correspondence and notices to undersigned agent.

Pro. 1/11/82 BLM  
Pro. Overruled 12/05/90  
See Ruling #3757  
Compared JS/sg am/se

By s/William A. Nisbet  
Agent Signature, applicant or agent  
421 Court  
Elko, Nevada 89801

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to the State Engineer's Ruling No. 3757 dated December 5, 1990.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.0312 cubic feet per second, or sufficient to water.....1,000 head of cattle.

Actual construction work shall begin on or before.....N/A

Proof of commencement of work shall be filed before.....N/A

Work must be prosecuted with reasonable diligence and be completed on or before.....January 9, 1993

Proof of completion of work shall be filed before.....February 9, 1993

Application of water to beneficial use shall be made on or before.....January 9, 1996


Proof of the application of water to beneficial use shall be filed on or before.....February 9, 1996

Map in support of proof of beneficial use shall be filed on or before.....N/A

Commencement of work filed.....  
Completion of work filed.....MAR 12 1993  
Proof of beneficial use filed.....MAR 17 1993  
Cultural map filed.....  
Certificate No. 13704 Issued AUC 24 1993

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this.....9th.....day of.....January.....  
A.D. 1991

218 (Rev. 9-80)

  
State Engineer